

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**LAVAN YANKTON, SR.**

**PLAINTIFF**

**V.**

**NO. 4:14-CV-34-DMB-RP**

**CHRISTOPHER EPPS, et al.**

**DEFENDANTS**

**ORDER**

On February 14, 2019, United States Magistrate Judge Roy Percy issued a Report and Recommendation recommending that this case be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for LaVan Yankton, Sr.'s failure to prosecute and failure to comply with a court order. Doc. #84. No objections to the Report and Recommendation have been filed.

Under 28 U.S.C § 636(b)(1)(C), “[a] judge of the court shall make a de novo determination of those portions of the report ... to which objection is made.” “[W]here there is no objection, the Court need only determine whether the report and recommendation is clearly erroneous or contrary to law.” *United States v. Alaniz*, 278 F.Supp.3d 944, 948 (S.D. Tex. 2017) (citing *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)).

Having reviewed the Report and Recommendation, this Court concludes that it is neither clearly erroneous nor contrary to law. Accordingly, the Report and Recommendation is [84] is **ADOPTED** as the order of this Court and this case is **DISMISSED without prejudice** for Yankton's failure to prosecute and failure to comply with a court order.

**SO ORDERED**, this 11th day of March, 2019.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**